

## Yeas—6.

Atlee.	Ross.
Harrison.	Tillett.
Linn of Wharton.	Turney.

## Nays—15.

Bailey.	Kerr.
Beall.	Rogers.
Boren.	Stafford.
Bowser.	Terrell.
Burns.	Woods.
Colquitt.	Yantis.
Dibrell.	Yett.
Greer.	

## Absent.

Darwin.	Morriss.
Goss.	Neal.
Lewis.	Presler.
Linn of Victoria.	Wayland.

## Excused.

Gough.	Stone.
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By Senator Greer:

Strike out all of section 1 of the bill down to the words "and upon conviction," and insert in lieu thereof the following: "Every person, with a sound memory and discretion, who shall murder any reasonable creature in being in this State, or participate in such murder, or aid in any manner therein, when the person so murdered is accused of crime and is in the custody of officers of the law, or is taken therefrom by violence and murdered, shall be deemed guilty of murder by mob violence."

Senator Terrell made the point of order that the amendment was not in order, for the reason that when a motion to strike out and insert prevails the matter inserted can not be amended further by striking out and inserting, which this amendment sought to do.

Sustained.

Senator Atlee entered a motion to reconsider the vote by which his substitute for Senator Stafford's amendment (see above) was lost, and had same spread on the Journal.

Senator Tillett entered a motion to reconsider the vote by which Senator Stafford's amendment as amended was adopted, and had same spread on the Journal.

Senator Bowser called up Senate joint resolution No. 1, to encourage manufactories by exempting them from taxation, and asked that same be engrossed.

Senator Atlee moved to postpone consideration indefinitely.

Carried.

Senator Wayland moved to adjourn to 8 a. m. to-morrow.

Senator Bailey moved to adjourn to 9 a. m. to-morrow.

Carried, and the Senate adjourned to 9 a. m. to-morrow.

## TWENTY-THIRD DAY.

Senate Chamber,

Austin, Texas, Saturday, June 19.

Senate met pursuant to adjournment:

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Bailey.	Neal.
Beall.	Presler.
Bowser.	Rogers.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

## Absent.

Boren.	Linn of Wharton.
Darwin.	Morriss.
Gough.	Ross.
Linn of Victoria.	Turney.

## Excused.

Stone.

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: We thank Thee for the good providence that has been over us during this session; that we have had good health and been able to work and meet the demands upon us. The time is now approaching for a final adjournment, and we will soon be hastening homeward. We pray Thee to protect, guide and accompany each one, and that our future may be usefully spent in Thy service, and the service of humanity. Oh, God, forgive all our sins, pity our many weaknesses, and give us to feel Thy fatherly sympathy; lead safely and wisely in the future, and at last give us an abundant entrance to the home of the pure and good. We ask for Christ's sake. Amen.

Pending reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

On motion of Senator Yantis,

Senator Gough was excused for to-day and to-morrow, on account of sickness in his family.

On motion of Senator Tillett, Senator Turney was excused for to-day and to-morrow, on account of important business.

### BILLS AND RESOLUTIONS.

By Senator Dibrell:

Whereas, the Hon. V. F. Pace, Assistant Sergeant-at-Arms of the Senate, has proven himself a faithful and efficient officer, always attending strictly to the duties incumbent upon him by virtue of his said office; there fore be it

Resolved, that the said Assistant Sergeant-at-Arms, for the purpose of arranging the affairs pertaining to said office, be retained after the adjournment of this Legislature for the space of fifteen minutes.

On motion of Senator Goss, adopted. Call concluded.

### HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,  
Austin, Texas, June 19, 1897.

Hon. George T. Jester, President of the Senate:

I am directed by the House to inform the Senate that Senate amendment No. 24 to House bill No. 24 is unintelligible; the same is herewith returned for correction.

Respectfully,

LEE J. ROUNTREE,  
Chief Clerk, House of Representatives.

On motion of Senator Dibrell, the amendment referred to above was corrected by inserting the figures "54" after the word "subdivision."

The Chair gave notice of signing, and did sign in the presence of the Senate, after its caption had been read,

Senate bill No. 14, a bill to be entitled "An act to amend sections 1069 and 1070 of the Revised Civil Statutes of the State of Texas, and to reduce the expenses of the State government."

The Chair laid before the Senate,

House bill No. 30, a bill to be entitled "An act to fix the venue and regulate proceedings in prosecutions for rape, define and punish murder by mob violence, provide for the suspension and removal of sheriffs, constables, deputy sheriffs, chiefs of police, city marshals and other officers, who knowingly and wilfully permit it; and fix the venue and regulate proceedings in such cases."

Action being on Senator Tillett's motion to reconsider the vote by which

Senator Stafford's amendment as amended was adopted.

Senator Stafford moved to lay the motion on the table.

Carried.

Senator Atlee withdrew his motion to reconsider the vote by which his amendment was lost.

By Senator Lewis:

Amend section 1 by adding after the word "life," in the last line, the following, "or for a term of years not less than five years."

By Senator Atlee:

Substitute the amendment as follows, "or according to the degree of murder to be found by the jury."

Adopted.

The amendment as substituted was then adopted by the following vote:

Yeas—12.

Atlee.	Presler.
Bailey.	Ross.
Bowser.	Tillett.
Burns.	Wayland.
Colquitt.	Woods.
Greer.	Yantis.

Nays—10.

Dibrell.	Neal.
Goss.	Rogers.
Harrison.	Stafford.
Kerr.	Terrell.
Lewis.	Yett.

Yea.	Paired.	Nay.
Turney.	Beall.	

Absent.

Boren.	Linn of Wharton.
Darwin.	Morriss.
Linn of Victoria.	

Excused.

Gough.	Stone.
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By Senator Lewis:

Amend by striking out, in section 9, line 32, page 3, the words "rape and" and insert in lieu thereof the words "murder by,"

Adopted.

By Senator Beall:

Amend by inserting after the word "permit," in lines 16 and 18, page 2, of printed bill, the words "or suffer."

Adopted.

By Senator Lewis:

Amend the caption and the bill by striking out the words "knowingly and wilfully" wherever they occur.

Adopted.

Bill as amended passed to a third reading.

On motion of Senator Lewis, the constitutional rule requiring bills to

be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

## Yeas—23.

Atlee.	Lewis.
Bailey.	Neal.
Beall.	Rogers.
Boren.	Stafford.
Bowser.	Terrell.
Burns.	Tillett.
Colquitt.	Wayland.
Dibrell.	Woods.
Goss.	Yantis.
Greer.	Yett.
Kerr.	

## Nays—2.

Harrison.	Ross.
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## Absent.

Darwin.	Morriss.
Linn of Victoria.	Presler.
Linn of Wharton.	

## Excused.

Gough.	Turney.
Stone.	

Bill read third time.

By Senator Terrell:

Amend by inserting "or suffered" after the word "permitted," line 11, on page 3.

Bill passed by the following vote:

## Yeas—19.

Atlee.	Lewis.
Bailey.	Neal.
Beall.	Presler.
Bowser.	Stafford.
Burns.	Terrell.
Colquitt.	Tillett.
Dibrell.	Wayland.
Goss.	Woods.
Greer.	Yantis.
Kerr.	

## Nays—3.

Harrison.	Yett.
Ross.	

## Absent.

Boren.	Linn of Victoria.
Darwin.	Linn of Wharton.

## Excused.

Gough.	Turney.
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Stone.

Yea.	Paired.	Nay.
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Rogers.	Morriss.
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## COMMITTEE REPORT.

Committee Room,

Austin, Texas, June 19, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 31, a bill to be entitled "An act to define the Thirty-eighth judicial district, and prescribe the times of holding district courts in the various counties thereof,"

Have had the same under consideration back to the Senate with the recommendation that it do pass.

DIBRELL, Chairman.

The Chair laid before the Senate, on second reading,

House bill No. 31, a bill to be entitled "An act to define the Thirty-eighth judicial district, and prescribe the times of holding district courts in the various counties thereof,"

Bill read second time, and passed to third reading.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

## Yeas—23.

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.
Lewis.	

## Nays—none.

## Absent.

Boren.	Linn of Wharton.
Darwin.	Morriss.
Linn of Victoria.	

## Excused.

Gough.	Turney.
Stone.	

Bill read third time, and passed by the following vote:

## Yeas—23.

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Boren.	Ross.
Bowser.	Stafford.
Burns.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.
Lewis.	

## Nays—none.

## Absent.

Colquitt. Linn, Wharton.  
 Darwin. Morriss.  
 Gough. Turney.  
 Linn, Victoria.

## Excused.

Stone.

## HOUSE MESSAGE.

Hall House of Representatives,  
 Austin, Texas, June 19, 1897.

Hon. Geo. T. Jester, President of the  
 Senate:

I am directed by the House to in-  
 form the Senate of the passage of the  
 following bills:

Senate bill No. 22, a bill to be en-  
 titled "An act to fix the fees of county  
 and district clerks for recording re-  
 turns, and to amend section 10 of sub-  
 stitute House bill for House bills Nos.  
 6 and 19, passed at the first special  
 session of the Twenty-fifth Legislature  
 of the State of Texas, being a bill en-  
 titled 'An act to fix certain civil fees  
 to be charged by certain county and  
 precinct officers, and to fix and limit  
 the fees and compensation of clerks of  
 the district court, district attorneys,  
 county attorneys, sheriffs and constab-  
 les in felony cases, to be paid by the  
 State, and to fix the compensation of  
 assessors and collectors of taxes, and  
 to limit and regulate the compensation  
 of the sheriff, clerk of the county  
 court, county judge, district and coun-  
 ty attorney, clerk of the district court,  
 assessor and collector of taxes, jus-  
 tices of the peace and constables, and  
 to prescribe the penalties for the viola-  
 tion of this act, and to repeal all laws  
 in conflict herewith,' relating to the  
 excess of the fees collected by certain  
 county officers over the maximum  
 amounts allowed them,"

By the following vote: yeas 79,  
 nays 14.

Senate bill No. 18, a bill to be en-  
 titled "An act to amend article 5051 of  
 the Revised Civil Statutes of 1895, re-  
 lating to county warrants and the pay-  
 ment of taxes, and to repeal all laws  
 in conflict herewith,"

With amendment.

Also, that the House has concurred  
 in Senate amendments to House bill  
 No. 24.

Also, that the House has concurred  
 in Senate amendments to House bill  
 No. 30.

Respectfully,

LEE J. ROUNTREE,  
 Chief Clerk, House of Representatives.

Senator Tillett called up Senate bill  
 No. 18, reported above, and moved that

the Senate concur in the House  
 amendments.

Concurred.

The Chair gave notice of signing,  
 and did sign in the presence of the  
 Senate, after its caption had been  
 read,

Senate bill No. 18, a bill to be en-  
 titled "An act to amend article 5051 of  
 the Revised Civil Statutes of 1895, re-  
 lating to county warrants and pay-  
 ment of taxes, and to repeal all laws  
 in conflict herewith,"

The Chair laid before the Senate,  
 House bill No. 23, a bill to be en-  
 titled "An act to amend article 1011,  
 chapter 15, title 27, of the Revised  
 Civil Statutes of the State of Texas,  
 relating to the fees and compensation  
 of the clerks of the Courts of Civil  
 Appeals, and to provide a penalty for  
 the violation of this act."

Bill read second time.

By Senator Harrison:

Amend by adding section 4, to read  
 as follows:

"Sec. 4. Article 1012 is hereby re-  
 pealed."

Senator Beall raised the point of or-  
 der that the amendment was not ger-  
 main.

Sustained.

By Senator Bailey:

Amend line 18 by inserting, page 1,  
 25.

Amend line 19 by inserting, page 1,  
 25.

Amend line 20, by inserting, page 1,  
 25.

Amend line 23 by inserting, page 1,  
 25.

Amend line 24 by inserting, page 1,  
 10.

Amend line 26 by inserting, page 1,  
 15.

Amend line 27 by inserting, page 1,  
 10.

Amend line 28 by inserting, page 1,  
 50.

Amend line 29 by inserting, page 1,  
 50.

Amend line 31 by inserting, page 1,  
 75.

Adopted.

By Senator Goss:

Amend by striking out "50" in line  
 4, page 2, and inserting "25."

Senator Beall moved to lay the  
 amendment on the table.

Lost by the following vote:

Yeas—8.

Beall.	Neal.
Burns.	Ross.
Dibrell.	Tillett.
Greer.	Woods.

## Nays—11.

Atlee.	Presler.
Bailey.	Stafford.
Colquitt.	Terrell.
Goss.	Wayland.
Harrison.	Yantis.
Kerr.	Yett.
Lewis.	

## Absent.

Boren.	Linn of Wharton.
Bowser.	Morriss.
Darwin.	Rogers.
Linn of Victoria.	

## Excused.

Gough.	Turney.
Stone.	

The amendment (Goss') was then adopted.

Senator Beall moved to reconsider the vote by which Senator Bailey's amendment was adopted.

Senator Bailey moved to table the motion to reconsider.

Lost by the following vote:

## Yeas—11.

Atlee.	Lewis.
Bailey.	Neal.
Bowser.	Rogers.
Goss.	Stafford.
Harrison.	Yantis.
Kerr.	

## Nays—12.

Mr. President.	Ross.
Beall.	Terrell.
Burns.	Tillett.
Colquitt.	Wayland.
Dibrell.	Woods.
Greer.	Yett.

## Absent.

Boren.	Linn of Wharton.
Darwin.	Morriss.
Linn of Victoria.	Presler.

## Excused.

Gough.	Turney.
Stone.	

The motion to reconsider then prevailed by the following vote:

## Yeas—13.

Beall.	Ross.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Tillett.
Greer.	Woods.
Kerr.	Yett.
Presler.	

## Nays—10.

Atlee.	Lewis.
Bailey.	Neal.
Bowser.	Rogers.
Goss.	Wayland.
Harrison.	Yantis.

## Absent.

Boren.	Linn of Wharton.
Darwin.	Morriss.
Linn of Victoria.	

## Excused

Gough.	Turney.
Stone.	

Senator Bailey called for a division of the question.

Granted.

The amendment to lines 18, 19 and 20, adopted.

Amendment to line 23 lost by the following vote:

## Yeas—6.

Atlee.	Harrison.
Bailey.	Kerr.
Bowser.	Yantis.

## Nays—17.

Beall.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Dibrell.	Terrell.
Greer.	Tillett.
Lewis.	Wayland.
Linn of Wharton.	Woods.
Neal.	Yett.
Presler.	

## Absent.

Boren.	Linn of Victoria.
Darwin.	Morriss.
Goss.	

## Excused.

Gough.	Turney.
Stone.	

Amendment to line 24, adopted.

Amendment to lines 26, 27 and 28, lost.

Amendment to line 29, adopted by the following vote:

## Yeas—13.

Bailey.	Stafford.
Bowser.	Terrell.
Harrison.	Wayland.
Lewis.	Woods.
Neal.	Yantis.
Rogers.	Yett.
Ross.	

## Nays—9.

Atlee.	Greer.
Beall.	Linn of Wharton.
Burns.	Presler.
Colquitt.	Tillett.
Dibrell.	

## Absent.

Boren.	Kerr.
Darwin.	Linn of Victoria.
Goss.	Morriss.

## Excused.

Gough.	Turney.
Stone.	

Amendment to line 31, lost.

Senator Greer moved a call of the Senate, in order to secure and maintain a quorum, which was ordered, the following Senators answering to their names:

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Stafford.
Burns.	Terrell.
Colquitt.	Tillett.
Dibrell.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Lewis.	Yett.
Linn of Wharton.	

**Absent.**

Boren.	Linn of Victoria.
Darwin.	Morriss.
Goss.	Ross.
Kerr.	

**Excused.**

Gough.	Turney.
Stone.	

Pending further action,  
Senator Stafford sent up the following:

Mineola, Texas, June 19, 1897.

R. N. Stafford, Senate Chamber, Austin, Texas:

Father died yesterday eve at 5:30.

T. H. NAPIER.

By Senator Stafford:

Whereas, death has entered the household of our courteous and efficient Postmaster, Mr. T. H. Napier, and taken from his accustomed place his honored father; therefore be it

Resolved, that we extend to Mr. Napier our tenderest sympathies in this hour of sadness.

On motion of Senator Terrell, the above resolution was unanimously adopted.

The Chair gave notice of signing, and did sign after its caption had been read,

House bill No. 24, a bill to be entitled "An act to amend article 5049, chapter 1, title 104, of the Revised Civil Statutes, relating to general occupation taxes,"

(Senator Colquitt in the chair.)

Returning to pending business,

Senator Linn of Wharton made the point of order against the bill (House bill No. 23) that same was not included in the Governor's call.

Not sustained.

By Senator Tillett:

Amend line 1, page 2, by inserting after one word "offices," "except copies

of opinions," and add between lines 2 and 3, "making copies of opinions, per 100 words, 5 cents."

Adopted.

By Senator Bailey:

Amend line 13 of the committee amendment (printed bill) by striking out "\$2000" and inserting "\$2500."

Senator Beall moved the previous question on the amendment and the bill, which was duly second and prevailed.

The amendment was lost by the following vote:

**Yeas—10.**

Atlee.	Linn, Wharton.
Bailey.	Presler.
Dibrell.	Rogers.
Greer.	Ross.
Lewis.	Stafford.

**Nays—12.**

Beall.	Terrell.
Boren.	Tillett.
Bowser.	Wayland.
Burns.	Woods.
Colquitt.	Yantis.
Harrison.	Yett.

**Absent.**

Darwin.	Linn, Victoria.
Goss.	Morriss.
Kerr.	Neal.

**Excused.**

Gough.	Turney.
Stone.	

Bill passed to third reading.

Senator Beall moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that the bill be put upon its third reading and final passage.

Lost by the following vote:

**Yeas—15.**

Atlee.	Ross.
Beall.	Stafford.
Boren.	Terrell.
Bowser.	Tillett.
Colquitt.	Wayland.
Dibrell.	Woods.
Greer.	Yett.
Rogers.	

**Nays—8.**

Bailey.	Linn of Wharton.
Burns.	Neal.
Harrison.	Presler.
Lewis.	Yantis.

**Absent.**

Darwin.	Linn of Victoria.
Goss.	Morriss.
Kerr.	

**Excused.**

Gough.	Turney.
Stone.	

We vote "no" on the motion to suspend the constitutional rule requiring bills to be read on three several days, because this bill is not included in the call of the Governor, and it is, therefore, unconstitutional to take same up for consideration. It is conceded by all that this is not a fee bill within the Governor's call, but it is contended that it is a measure to reduce State expenditures, and, therefore, within that part of the Governor's proclamation. This is a forced an unnatural construction, and one that should not be indulged. The bill does not pretend to reduce or even affect the State expenditures, but is more in the nature of a revenue measure, as the surplus fees are required to be paid over to the State.

BAILEY,  
LEWIS.

Senator Dibrell offered the following:

Resolved, 1. That the Journals of the Twenty-fifth Legislature, when completed and printed, be bound in one volume in full law sheep.

2. That 200 volumes of the Senate Journals be thus bound and by the Secretary of the Senate one volume be transmitted to each member and officer of the House and Senate.

3. That the Secretary of the Senate be authorized to contract for the binding of the Journals as herein provided for, at a cost not to exceed \$1.10 per volume.

Adopted.

Senator Dibrell called up the House sine die adjournment resolution (providing for adjournment sine die on June 20, at 10 o'clock a. m.) and moved its adoption.

Adopted.

The following committee reports were sent up:

#### MAJORITY REPORT.

Committee Room,  
Austin, Texas, June 18, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 25, a bill to be entitled "An act to amend chapter 10, of the 94, of the Revised Civil Statutes of the State of Texas, by adding thereto article 4521a, prohibiting the use of the gate system upon railroad trains in the State of Texas, providing a penalty therefor, and declaring said gate system to be a public nuisance,"

Have had the same under consideration, and I am instructed by a major-

ity of said committee to report the same back to the Senate with the recommendation that it do not pass.

STAFFORD, Chairman.

#### MINORITY REPORT.

Committee Room,  
Austin, Texas, June 18, 1897.

Hon. Geo. T. Jester, President of the Senate:

We, a minority of your Judiciary Committee No. 2, to whom was referred House bill No. 25, being unable to agree with the majority upon consideration of said bill, beg to report the same back to the Senate with the recommendation that it do pass.

YANTIS.

Senator Yantis called up House bill No. 25 (see committee report above), which was laid before the Senate with an adverse majority and favorable minority committee reports.

Senator Tillett moved to postpone further consideration of the bill indefinitely.

Carried by the following vote:

Yeas—12.

Atlee.	Greer.
Beall.	Ross.
Bowser.	Stafford.
Burns.	Tillett.
Colquitt.	Wayland.
Dibrell.	Yett.

Nays—6.

Boren.	Terrell.
Lewis.	Woods.
Presler.	Yantis.

Yea.	Paired.	Nay.
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Linn of Victoria.	Kerr.
Neal.	Linn of Wharton.

Present, not voting.

Bailey.

Absent.

Darwin.	Morriss.
Goss.	Rogers.
Harrison.	

Excused.

Gough.	Turney.
Stone.	

Senator Tillett moved to reconsider the vote by which the bill was indefinitely postponed, and to lay that motion on the table.

Carried.

By Senator Bowser:

Whereas, the officials of certain Texas railroads, in connection with officials of connecting lines, have very generously and kindly tendered the courtesy of free transportation to Nashville and return to the members of the Legislature; therefore be it

Resolved, that we respectfully return the thanks of this Senate to said railway officials for the extension and tender of said courtesy, and regret that owing to the long, protracted session of the regular term, followed by the present special session, and consequent neglect of our private business affairs, we can not accept the same.

Lost.

(Lieutenant Governor Jester in the chair.)

The Chair gave notice of signing, and did sign after their captions had been read,

House bill No. 30, entitled "An act to fix the venue and regulate proceedings in prosecutions for rape, define and punish murder by mob violence, provide for the suspension and removal of sheriffs, constables, deputy sheriffs, chiefs of police, city marshals and other officers, who knowingly and willfully permit it; and fix the venue and regulate proceedings in such cases."

House bill No. 31, entitled "An act to define the Thirty-eighth judicial district, and prescribing the times of holding district courts in the various counties thereof."

Senator Woods called up his motion to reconsider the vote by which House concurrent resolution No. 1 (relative to the appointment of officers at Confederate Home) was lost.

Senator Beall moved to table the motion to reconsider.

Lost by the following vote:

Yeas—8.

Beall.	Dibrell.
Colquitt.	Lewis.
Neal.	Stafford.
Rogers.	Tillett.

Nays—13.

Atlee.	Ross.
Bailey.	Terrell.
Boren.	Wayland.
Bowser.	Woods.
Burns.	Yantis.
Linn, Wharton.	Yett.
Presler.	

Absent.

Darwin.	Kerr.
Goss.	Linn, Victoria.
Greer.	Morriss.
Harrison.	

Excused.

Gough.	Turney.
Stone.	

The motion to reconsider then prevailed.

Pending action,

Senator Beall moved a call of the Senate, which was ordered, the fol-

lowing Senators answering to their names:

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Boren.	Ross.
Bowser.	Stafford.
Burns.	Terrell.
Colquitt.	Tillett.
Dibrell.	Wayland.
Greer.	Woods.
Lewis.	Yantis.
Linn of Wharton.	Yett.

Absent.

Darwin.	Kerr.
Goss.	Linn of Victoria.
Harrison.	Morriss.

Excused.

Gough.	Turney.
Stone.	

Senator Yantis moved to excuse the absentees.

Carried by the following vote:

Yeas—15.

Atlee.	Rogers.
Bailey.	Ross.
Boren.	Terrell.
Bowser.	Wayland.
Burns.	Woods.
Linn of Wharton.	Yantis.
Neal.	Yett.
Presler.	

Nays—7.

Beall.	Lewis.
Colquitt.	Stafford.
Dibrell.	Tillett.
Greer.	

Absent.

Darwin.	Kerr.
Goss.	Linn of Victoria.
Harrison.	Morriss.

Excused.

Gough.	Turney.
Stone.	

The Chair gave notice of signing, and did sign after its caption had been read,

House bill No. 22, entitled "An act to enforce the attendance of witnesses in criminal cases upon district courts, grand juries and magistrates sitting as examining courts in counties other than that of their residence under subpoena, and to provide for the punishment for disobedience of such subpoenas; and to repeal articles 525, 526, 527, 528, 529, 530, 531, 532, 533 and 534, title 7, chapter 4, of the Code of Criminal Procedure of the State of Texas, adopted by the Twenty-fourth Legislature, 1895, and all other laws



and parts of laws in conflict with this act."

Also House bill No. 24, being "An act to amend article 5049, chapter 1, title 104, Revised Civil Statutes, relating to general occupation taxes."

Pending further action,

Senator Colquitt called up the special committee report on hold-over officers, and moved its adoption.

Senator Lewis offered to substitute as follows:

Resolved, that the Secretary of the Senate, in order to comply with the provisions of article 4240, Revised Civil Statutes of 1895, be and he is hereby retained after adjournment for the period of twenty days, to proof read, superintend printing, tabulate the calendar of Senate bills, index and deliver the Senate Journals, regular and called sessions, to the State printers, and forward all mail to Senators; said Secretary to receive \$5 per day.

Resolved, that the Journal Clerk, Assistant Journal Clerk and Calendar Clerk of the Senate, be and they are hereby retained after adjournment for the period of twenty days, at \$5 per day each, to assist the Secretary in the proper discharge of his duties under the provisions of the foregoing resolutions.

Resolved, that the officers retained on duty under these resolutions be paid out of the appropriation for per diem pay of members, officers and employes of the first called session of the Twenty-fifth Legislature, upon warrants signed by the President and Secretary of the Senate.

Yeas and nays were demanded on the adoption of the substitute, and the roll call developed no quorum.

Senator Ross moved a call of the Senate, which was seconded and ordered, the following Senators answering to their names:

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Boren.	Ross.
Burns.	Terrell.
Colquitt.	Wayland.
Dibrell.	Woods.
Lewis.	Yett.
Linn, Wharton.	

#### Absent.

Bowser.	Linn, Victoria.
Darwin.	Morriss.
Goss.	Stafford.
Greer.	Tillett.
Harrison.	Yantis.
Kerr.	

#### Excused.

Gough.	Turney.
Stone.	

(Senator Rogers in the chair.)

By consent, Senator Ross offered the following:

Whereas, the reporters of the various State papers have been uniformly kind and courteous to the members of the Senate; therefore be it

Resolved, that the thanks of the members of the Senate be extended them for the kindness and courtesies extended.—(Ross, Yantis.

Adopted.

Senator Beall then moved that the Senate take a recess until to-morrow at 9 a. m.

Lost by the following vote:

#### Yeas—6.

Atlee.	Rogers.
Boren.	Stafford.
Burns.	Woods.

#### Nays—10.

Bailey.	Linn, Wharton.
Beall.	Presler.
Colquitt.	Ross.
Dibrell.	Terrell.
Lewis.	Wayland.

#### Absent.

Bowser.	Linn, Victoria.
Darwin.	Morriss.
Goss.	Neal.
Greer.	Tillett.
Harrison.	Yantis.
Kerr.	Yett.

#### Excused.

Gough.	Turney.
Stone.	

Senator Goss was announced.

The substitute (Lewis') was then adopted by the following vote:

#### Yeas—11.

Bailey.	Neal.
Beall.	Ross.
Dibrell.	Stafford.
Greer.	Terrell.
Lewis.	Yantis.
Linn of Wharton.	

#### Nays—10.

Atlee.	Presler.
Boren.	Rogers.
Burns.	Wayland.
Colquitt.	Woods.
Goss.	Yett.

#### Absent.

Bowser.	Linn of Victoria.
Darwin.	Morriss.
Harrison.	Tillett.
Kerr.	

#### Excused.

Gough.	Turney.
Stone.	

## PRIVILEGED REPORTS.

Committee Room,  
Austin, Texas, June 19, 1897.  
Hon. George T. Jester, President of  
the Senate:

Your Committee on Enrolled Bills  
have carefully examined and com-  
pared

Senate bill No. 14, a bill to be en-  
titled "An act to amend sections 1069  
and 1070, of the Revised Civil Statutes  
of the State of Texas, relating to the  
appointment of special district judges,  
and to reduce the expenses of the  
State government,"

And find the same correctly enrolled,  
and have this day, at 9:10 a. m., pre-  
sented the same to the Governor for  
his approval.

ROGERS, Chairman.

Committee Room,  
Austin, Texas, June 19, 1897.  
Hon. George T. Jester, President of  
the Senate:

Your Committee on Enrolled Bills  
have carefully examined and com-  
pared

Senate bill No. 20, a bill to be en-  
titled "An act to amend article 3964 of  
the Revised Civil Statutes of the State  
of Texas, adopted A. L. 1895, provid-  
ing for the manner of taking the schol-  
astic census; and repealing articles  
3965, 3966, 3967, 3968, 3969, 3970 and  
3971, of the Revised Civil Statutes of  
the State of Texas,"

And find the same correctly enrolled,  
and have this day, at 9:10 a. m., pre-  
sented the same to the Governor for  
his approval. ROGERS, Chairman.

Committee Room,  
Austin, Texas, June 19, 1897.  
Hon. George T. Jester, President of  
the Senate.

Your Committee on Enrolled Bills  
have carefully examined and com-  
pared

Senate bill No. 23, a bill to be en-  
titled "An act to regulate and limit the  
expenditure of State, county and local  
public school funds, and to regulate  
treasurers' reports thereof,"

And find the same correctly enrolled,  
and have this day, at 9:10 a. m., pre-  
sented the same to the Governor for  
his approval.

ROGERS, Chairman.

Committee Room,  
Austin, Texas, June 19, 1897.  
Hon. Geo. T. Jester, President of the  
Senate:

Your Committee on Enrolled Bills  
have carefully examined and com-  
pared

Senate bill No. 22, a bill to be en-  
titled "An act to fix the fees of county  
and district clerks for recording re-  
turns, and to amend section 10 of sub-  
stitute House bill for House bills Nos.  
6 and 19, passed at the first special  
session of the Twenty-fifth Legisla-  
ture of the State of Texas, being a  
bill entitled 'An act to fix certain civil  
fees to be charged by certain county  
and precinct officers, and to fix and  
limit the fees and compensation of  
clerks of the district court, district at-  
torneys, county attorneys, sheriffs and  
constables in felony cases, to be paid  
by the State, and to fix the compensa-  
tion of assessors and collectors of  
taxes, and to limit and regulate the  
compensation of the sheriff, clerk of  
the county court, county judge, dis-  
trict and county attorney, clerk of the  
district court, assessor and collector of  
taxes, justices of the peace and consta-  
bles, and to prescribe penalties for the  
violation of this act, and to repeal all  
laws in conflict herewith,' relating to  
the excess of fees collected by certain  
county officers over the maximum  
amounts allowed them,"

And find the same correctly enrolled,  
and have this day, at 11:10 a. m., pre-  
sented the same to the Governor for  
his approval.

ROGERS, Chairman.

Committee Room,  
Austin, Texas, June 19, 1897.  
Hon. George T. Jester, President of  
the Senate:

Your Committee on Enrolled Bills  
have carefully examined and com-  
pared

Senate bill No. 18, a bill to be en-  
titled "An act to amend article 5051 of  
the Revised Civil Statutes of 1895, re-  
lating to county warrants and pay-  
ment of taxes, and to repeal all laws  
in conflict herewith."

And find the same correctly enrolled,  
and have this day, at 10:05 a. m., pre-  
sented the same to the Governor for  
his approval.

ROGERS, Chairman.

On motion of Senator Atlee, the  
Senate then adjourned until to-mor-  
row morning at 9 o'clock.

## TWENTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas, Sunday June 20.

Senate met pursuant to adjourn-  
ment, and was called to order by Sec-  
retary Will Lambert.

Roll called.